

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

**KAMIE WILLIAMS, AS MOTHER)
AND NEXT FRIEND OF JADEN)
ARRINGTON, A MINOR,)**

Plaintiff,)

v.)

**WAGON TRANSPORTATION, LLC,)
ET AL.,)**

Defendants.)

Civil Action No.

C O M P L A I N T

PARTIES, JURSDICTION, AND VENUE

1. Plaintiff, Kamie Williams, is adult resident of the State of Georgia and is the mother of Jaden Arrington, a 14-year old minor, who resides with her.

2. Defendant, Wagon Transportation, LLC, upon information and belief, is a Louisiana corporation, operates as a tractor-trailer transportation company and conducts business in the State of Alabama.

3. Jurisdiction in this case is founded under the provision of 28 U.S.C. §1332(a), et seq., which grants this court jurisdiction in civil actions on the basis of diversity of citizenship where the matter in controversy, exclusive of interests and costs, exceeds seventy-five thousand dollars

(\$75,000.00).

4. The Court has proper venue pursuant to 28 U.S.C. §1391(a), as the incident made the basis of this suit occurred in Talladega County, Alabama.

FACTUAL BACKGROUND AND CLAIMS FOR RECOVERY

5. On or about November 18, 2016, Jaden Arrington was with his father Christopher Arrington. They left Atlanta, Georgia and were traveling westbound on I-20, heading to Mr. Arrington's parents' house in Birmingham. Mr. Arrington stopped in Anniston to get a cup of coffee and doughnuts during his usual travel time of late night between Atlanta and Birmingham.

6. Around 2:00 a.m., an unknown driver of Defendant Wagon Transportation, LLC's 18-wheeler was traveling westbound on I-20, when he had mechanical problems and pulled his 18-wheeler onto the shoulder of I-20, at mile marker 171.7 in Talladega County, across from the Talladega Superspeedway. The tractor-trailer driver (name unknown) did not put out emergency warning devices (triangles) to warn approaching vehicles on I-20 that his 18-wheeler was broken down on the edge of the interstate.

7. Christopher Arrington approached the stopped tractor-trailer, without emergency warning triangles, and struck the back left corner of the 18-wheeler, causing Mr. Arrington to lose control of his vehicle and rollover several times, landing in the median. His son, Jaden, was ejected from the vehicle and severely injured.

8. As proximate result of said collision and aftermath, including the Arrington vehicle rolling over multiple times and Jaden Arrington being ejected, Jaden Arrington was injured and damaged as follows:

- (a) He was caused to suffer a badly fractured right elbow, right shoulder, left ankle and right foot;
- (b) He was caused to undergo several surgical procedures;
- (c) He was caused and will be caused in the future to suffer physical pain, emotional distress, and anguish;
- (d) He and his mother were caused and will be caused incur past, present and future doctor, hospital, drug and other medical expenses in and about an effort to heal and cure his injuries; and
- (e) He was caused to be permanently injured.

COUNT ONE

KAMIE WILLIAMS' CLAIM FOR NEGLIGENCE AND WANTONNESS AGAINST WAGON TRANSPORTATION, LLC ON BEHALF OF HER SON JADEN ARRINGTON

9. Plaintiff realleges and reavers each and every allegation made above in this complaint.

10. Plaintiff further alleges that the Defendant Wagon Transportation, LLC and its unknown tractor-trailer driver had a duty to verify and keep its tractor-trailer in safe operating condition, to pull off the interstate at an exit in the event of needed repairs, thus removing itself from the shoulder of the interstate, to pull over onto the shoulder as far as practical from interstate in the event that the 18-wheeler suddenly broke down, and further, to put out

federally-required emergency warning devices (triangles) at the appropriate locations behind the stationary trailer, to warn oncoming travelers of the stationary tractor-trailer, in compliance with the U.S. D.O.T. Regulations.

11. Plaintiff further alleges that the Defendant Wagon Transportation, LLC and its driver breached its duty owed to the public, including Kamie Williams and Jaden Arrington when it negligently and/or wantonly failed to keep its tractor-trailer in safe operating condition, failed to pull off the interstate at an exit, thus removing itself from the shoulder of the interstate, failed to pull over onto the shoulder as far as practical from interstate in the event that the 18-wheeler suddenly broke down, and further, failed to put out federally-required emergency warning devices (triangles) at the appropriate locations behind the stationary trailer, to warn oncoming travelers of its presence, in compliance with the U.S. D.O.T. Regulations.

12. Plaintiff alleges the aforesaid negligent and/or wanton conduct of Wagon Transportation, LLC and its unknown driver was the proximate cause of Jaden Arrington's injuries and damages as follows:

- (a) He was caused to suffer a badly fractured right elbow, right shoulder, left ankle and right foot;
- (b) He was caused to undergo several surgical procedures to repair his right elbow;
- (c) He was caused and will be caused in the future to suffer physical pain, emotional distress, and anguish;
- (d) He was caused and will be caused incur past, present and future doctor, hospital, drug and other medical expenses in and about an effort to heal and cure his injuries; and
- (e) He was caused to be permanently injured.

WHEREFORE, on the basis of the foregoing, Plaintiff Kamie Williams, as Mother and Next Friend of Jaden Arrington, a Minor, requests that the jury selected to hear this case render a verdict for her son and against Wagon Transportation, LLC for compensatory and punitive damages in an amount which will adequately compensate her son for the injuries and damages he sustained and to punish and deter said actions or such conduct by the Defendant in the future.

COUNT TWO

**KAMIE WILLIAMS' CLAIM FOR NEGLIGENT AND
WANTON HIRING, TRAINING AND SUPERVISION AGAINST
WAGON TRANSPORTATION, LLC ON BEHALF OF HER
SON JADEN ARRINGTON**

13. Plaintiff realleges and reavers each and every allegation made above in this complaint.

14. Plaintiff further alleges that the Defendant Wagon Transportation, LLC had a duty to properly hire, train and supervise safe and competent drivers.

15. Plaintiff further alleges that the Defendant Wagon Transportation, LLC breached the duty owed to the public, including Kamie Williams and Jaden Arrington, by negligently and/or wantonly hiring, training and supervising the Defendant driver (name unknown), resulting in their tractor-trailer being broken down on the edge of the interstate with no emergency warning triangles warning approaching motorists of the danger ahead with a stopped tractor-trailer.

16. Plaintiff alleges the aforesaid negligent and/or wanton conduct of Wagon Transportation, LLC, Jaden Arrington was caused to suffer injuries and damages as follows:

- (a) He was caused to suffer a badly fractured right elbow, right shoulder, left ankle and right foot;
- (b) He was caused to undergo several surgical procedures to repair his right elbow;
- (c) He was caused and will be caused in the future to suffer physical pain, emotional distress, and anguish;
- (d) He was caused and will be caused incur past, present and future doctor, hospital, drug and other medical expenses in and about an effort to heal and cure his injuries; and
- (e) He was caused to be permanently injured.

WHEREFORE, on the basis of the foregoing, Plaintiff Kamie Williams, as Mother and Next Friend of Jaden Arrington, a Minor, requests that the jury selected to hear this case render a verdict for her son and against Wagon Transportation, LLC for compensatory and punitive damages in an amount which will adequately compensate her son for the injuries and damages he sustained and to punish and deter said actions or such conduct by the Defendant in the future.

COUNT THREE

KAMIE WILLIAMS'S CLAIM FOR LOSS OF CONSORTIUM

17. Plaintiff realleges and reavers each and every allegation made above in this complaint.

18. Kamie Williams is the mother of her 14-year old son, Jaden Arrington.

19. The aforesaid breach of legal duties by Defendant Wagon Transportation, LLC, as set forth herein and as a proximate consequence of said negligent, wanton, or wrongful conduct Defendant Wagon Transportation, LLC, Kamie Williams was caused to suffer the following injuries and damages:

- (a) She was caused and will be caused in the future to incur medical bills on behalf of her son;
- (b) She was caused to lose wages to care for her son;
and
- (c) She was caused to suffer emotional and mental anguish.

WHEREFORE, on the basis of the foregoing, Plaintiff Kamie Williams, as Mother and Next Friend of Jaden Arrington, a Minor, requests that the jury selected to hear this case render a verdict for her son and against Wagon Transportation, LLC for compensatory damages in an amount which will adequately compensate her son for the injuries and damages he sustained. Further, Kamie Williams requests that the Court enter judgment consistent with the jury's verdict, and that it also award her son interest from the date of judgment and the costs incurred by the Court in managing this lawsuit.

PLAINTIFF HEREBY DEMANDS TRIAL BY STRUCK JURY

Respectfully submitted,

s/Roger K. Fuston

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